

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF NORTH CAROLINA  
WESTERN DIVISION

No. 5:21-CV-00495-D

NEFTALI RIVERA NIEVES, )  
Plaintiff, )  
v. ) ORDER  
CHRISTINE WORMUTH, Secretary )  
of the Army, )  
Defendant. )

This matter comes before the Court on the United States' Motion to Amend the Scheduling Order. [D.E. 18].

For good cause shown, the motion is GRANTED. The Court amends the Scheduling Order [D.E. 17] as follows:

- 1) the period for discovery is rescinded; no discovery is authorized in this case which presents exclusively a challenge to a federal agency decision under the Administrative Procedures Act, 5 U.S.C. § 706;
- 2) Defendant United States shall file the Certified Administrative Record on or before October 31, 2022;
- 3) All dispositive motions shall be filed on or before December 16, 2022 and shall comply with Local Civil Rules 56.1 (summary judgment) and 7.2(f)(2)(A) (30-page limitation on supporting memoranda); and

4) Opposition to dispositive motions shall be filed on or before January 13, 2023 and shall not exceed the 10-page limitation on replies set forth in the Local Civil Rule 7.2(f)(2)(C).

**SO ORDERED.** This 15 day of November, 2022.

  
JAMES C. DEVER III  
United States District Judge